

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Nathan C. Youngbullbear**

**Docket No. 5:10-MJ-1815-1**

**Petition for Action on Probation**

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Nathan C. Youngbullbear, who, upon an earlier plea of guilty to Driving While Impaired-Level 4, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on April 6, 2011, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 48 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his/her privilege to do so is restored in accordance with law.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On May 11, 2011, the defendant's supervision was transferred to the District of South Dakota following his discharge from the U.S. Army. Since arriving in South Dakota, the defendant has had contact with law enforcement on three separate occasions. Although the defendant was not charged with any criminal conduct, he was intoxicated on each occasion. The defendant has not found employment and is currently homeless. In an effort to address the defendant's substance abuse problem, employment issues, and living situation, it is recommended that his probation be modified to include the following conditions: abstain from the use of alcoholic beverages, participate in a residential reentry center, and submit a sample of his blood, breath, or urine. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall not consume any alcoholic beverages or intoxicants. Furthermore, the defendant shall not frequent establishments whose primary business is the sale of alcoholic beverages.
2. The defendant shall reside and participate in a residential reentry center for a period as directed by the probation office. The defendant shall be classified as a prerelease case.
3. The defendant shall submit a sample of his blood, breath, or urine at the discretion or upon the request of the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

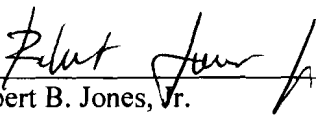
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt  
Robert K. Britt  
Senior U.S. Probation Officer

/s/ Keith W. Lawrence  
Keith W. Lawrence  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: August 10, 2011

**ORDER OF COURT**

Considered and ordered this 12 day of August, 2011, and ordered filed and made a part of the records in the above case.

  
Robert B. Jones, Jr.  
U.S. Magistrate Judge